

221521

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of United Utility Companies, Inc.
for Adjustment of Rates and Charges and
Modifications to Certain Terms and Conditions
for the Provision of Water and Sewer Service

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2009 - 479 - WS

(Please type or print)

Submitted by: Benjamin P. Mustian, Esquire

SC Bar Number: 68269

Address: Post Office Box 8416

Telephone: 803-252-3300

Columbia, SC 29202

Fax: 803-771-2410

Other:

Email: bmustian@willoughbyhoefer.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input checked="" type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

WILLOUGHBY & HOEFER, P.A.

ATTORNEYS & COUNSELORS AT LAW

930 RICHLAND STREET

P.O. BOX 8416

COLUMBIA, SOUTH CAROLINA 29202-8416

MITCHELL M. WILLOUGHBY
JOHN M.S. HOEFER
RANDOLPH R. LOWELL
ELIZABETH ZECK*
BENJAMIN P. MUSTIAN
MICHAEL R. BURCHSTEAD
ANDREW J. MACLEOD

AREA CODE 803
TELEPHONE 252-3300
TELECOPIER 256-8062

TRACEY C. GREEN
ALAN WILSON
SPECIAL COUNSEL

*ALSO ADMITTED IN TX

January 22, 2010

VIA HAND DELIVERY

The Honorable Charles L.A. Terreni
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Application of United Utility Companies, Inc. for adjustment of rates and charges and modifications to certain terms and conditions for the provision of water and sewer service. Docket No.: 2009-479-WS

Dear Mr. Terreni:

I am writing to you regarding certain letters recently submitted to United Utility Companies, Inc. ("UUC" or the "Company"), the Commission and/or ORS by customers or other entities concerning the above-referenced docket. These letters (copies enclosed) generally indicate a desire for individuals or entities to participate in this proceeding; however, the exact nature of their intended participation is unclear from the letters. Therefore, and for the reasons discussed below, UUC respectfully requests that the Commission clarify its interpretation of such letters so that the rights and responsibilities of the parties relative to this matter are defined.

As you can see from the enclosed letters, they are susceptible to differing interpretations as to the relief sought. For example, the Lake Trollingwood Homeowners' Association ("HOA") recently submitted two letters to the Commission, both dated January 7, 2010. The first letter submitted by the HOA indicated that the individual homeowners listed therein "request that a hearing be held in their county of residence, Greenville County." The second HOA letter indicates that certain homeowners identified therein are "petition[ing] to intervene at the hearing scheduled on Tuesday, March 23, 2010, at the Commission's Hearing Room in Columbia," but "would prefer to be parties of record at a hearing in Greenville County." These letters do not indicate that the HOA itself intended to intervene as a legal entity, but rather suggest that the HOA only was indicating which members of its organization desired to participate in

(Continued . . .)

this matter. By its letter dated January 15, 2010, however, the Commission admitted the HOA, and not the individual homeowners, as a party of record in this proceeding unless challenged. Similarly, Mr. Alvin F. Simpson, Jr. submitted the attached December 15, 2009, letter to UUC and ORS in which he states that he is petitioning to intervene in this matter, but indicates his preference to participate in a night hearing in Cherokee County.¹ Because of these incongruous requests, it is unclear to UUC whether these customers are aware of the distinction between their desired participation as a protestant or an intervenor and the rights and responsibilities concomitant thereto.

As the Commission is aware, protestants and intervenors are both permitted to participate in regulatory proceedings subject to varying conditions. For example, Commission Regulation 103-804.R states that a protestant is “[a]n individual objecting on the ground of private or public interest to the approval of an application” and that “[a] protestant may offer sworn testimony without the privilege of cross-examination of witnesses offered by other parties.” A protestant may therefore appear at a hearing and testify on a matter without being obliged to prefile written testimony in accordance with Commission Regulation 103-845.C.

By contrast, an intervenor is required to submit a petition to intervene which sets forth the facts from which the nature of the petitioner’s alleged right or interest can be determined, the grounds of the proposed intervention, and the position of the petitioner in the proceeding.² Commission Reg. 103-825.A(3). Once admitted, an intervenor is permitted to participate as a party of record with the right of cross-examination and is subject to the requirements set forth in the Commission’s Regulations governing practice and procedure. In particular, intervenors must prefile testimony with the Commission (See R. 103-845.C), and, to the extent they are not appearing on their own behalf, but on behalf of other persons or entities, they must be represented by an attorney admitted to practice in South Carolina. See Commission Regs. 103-804.T(1)(b); 103-805.B, C.³

Furthermore, to the extent that these persons and entities have petitioned to intervene in this proceeding and also requested the ability to participate in a public hearing to be held in their county of residence, the Commission has previously limited the ability of a customer to testify at both proceedings so as to prevent cumulative and repetitive testimony in accordance with Commission Regulation 103-845 and 846. As well, the Commission typically requires the applicant to provide a copy of all previous and future filings to intervenors permitted to participate in a proceeding. Because of the

¹ Please note that Mr. Simpson did not file this request with the Commission.

² UUC notes that the petition to intervene filed by the HOA on behalf of certain of its members does not satisfy the requirements of Commission Regulation 103-825.A(3). Specifically, the HOA is not a customer of the Company and, therefore, has not alleged sufficient standing to be admitted as a party of record in this proceeding.

³ As referenced by the Commission in its letter dated January 15, 2010, to the extent that the HOA as a legal entity intends to participate in this proceeding as a party of record, it would be required to engage an attorney admitted to practice in South Carolina to represent its interests. See Commission Regulation 103-805.B. In so far as the individual homeowners identified in the HOA’s letter dated January 7, 2010, are only seeking to represent their own individual interests and not the interests of the HOA or other persons, these customers may elect to represent themselves in this matter. Commission Regulation 103-805.C

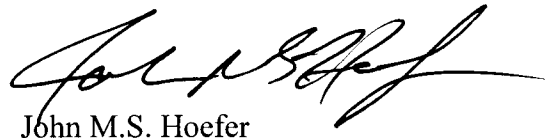
ambiguous nature of the requests, UUC is therefore uncertain as to the requirements of these persons and entities, the restrictions which may be placed on their participation, and the Company's own responsibilities as to whether they should be considered parties of record in accordance with Commission Regulation 103-804.L.

UUC therefore submits that clarification is needed in order to ascertain the intentions of these persons and entities in this matter, limit confusion relative to customer participation in the upcoming public hearings, and ensure administrative due process to all. The Company therefore respectfully requests that the Commission inform the parties of the manner in which these persons will be permitted to participate in this proceeding.

Thank you for your consideration of this request. As always, if you have any questions or if I can be of any assistance, please do not hesitate to contact me.

Sincerely,

WILLOUGHBY & HOEFER, P.A.



John M.S. Hoefer

JMSH/cf
Enclosures

cc: Nanette S. Edwards, Esquire
Duke K. McCall, Jr., Esquire
William H. Jordan, Esquire
Lake Trollingwood, Inc. c/o
Rica Rose Conover
Alvin F. Simpson, Jr.
(all via first class mail with enclosures)

221269

LAKE TROLLINGWOOD, INC.
LAKE TROLLINGWOOD HOMEOWNERS ASSOCIATION



7 January 2010

Public Service Commission of South Carolina
Attention: Docketing Department
Post Office Drawer 116-49
Columbia, South Carolina 29211

John M. S. Hoefer, Esquire
Willoughby & Hoefer, P.A.
Post Office Box 8416
Columbia, South Carolina 29202-8416

The Office of the Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211

Re: Petition to Intervene} Docket No. 2009-479-W/S

To Whom It May Concern:

Please be advised that the following homeowners/members of Lake Trollingwood, Inc. hereby petition to intervene at the hearing scheduled on Tuesday, 23 March 2010 at 10:30 a.m. at the Commission's Hearing Room in Columbia with regard to the proposed changes in the rates and charges to water and sewer services as provided by United Utility Companies, Inc. Please be advised that these individuals would prefer to be parties of record at a hearing in Greenville County if a hearing is granted in our county of residence (please refer to the enclosed Petition to Request Hearing in County of Residence).

Gary Bohnenberger
121 Greybridge Road
Pelzer, SC 29669
bohnenbergerg@bellsouth.net

Scott & Sophie Jackson
117 Greybridge Road
Pelzer, SC 29669
sophia@greenvillecabinets.com

Ruth Wyatt
217 Rivendell Drive
Pelzer, SC 29669
wyfr@att.net

Rica Rose Omlie Conover
207 Rivendell Drive
Pelzer, SC 29669
omricarose@aol.com

Tom Kassab
123 Greybridge Road
Pelzer, South Carolina 29669
tom.kassab@kascar.com

Robert D. Green
141 Greybridge Road
Pelzer, SC 29669
rdgree@aol.com

Rick Leonardi
221 Rivendell Drive
Pelzer, SC 29669
rleonardi@charter.net

Please be advised that each of these individuals will require five minutes for their presentation. Please note that I am including e-mail addresses of these members as instructed in the Notice of Filing & Hearing as well as their mailing address.

Please do not hesitate to contact me at (864) 283-4535 or omricarose@aol.com with any questions.

Sincerely,

Rica Rose Omlie Conover, Secretary/Treasurer
Lake Trollingwood, Inc.

Enclosure: Petition to Request Hearing in County of Residence/Notification of Hearing Date/Venue

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING AND HEARING

DOCKET NO. 2009-479-WS

UNITED UTILITY COMPANIES, INC. – APPLICATION FOR ADJUSTMENT OF RATES AND CHARGES AND MODIFICATIONS TO CERTAIN TERMS AND CONDITIONS FOR THE PROVISION OF WATER AND SEWER SERVICE

United Utility Companies, Inc. (UUC or the Company) has filed an Application with the Public Service Commission of South Carolina (the Commission) for an adjustment of the Company's rates and charges and modification of certain terms and conditions for the provision of water and sewer service. UUC is a public utility, as defined by S.C. Code Ann. § 58-5-10(4) (Supp. 2008), providing water and sewer service to the public for compensation in certain areas of South Carolina pursuant to rates approved by the Commission in Docket No. 2000-210-W/S.

Pursuant to S.C. Code Ann. § 58-5-240 (Supp. 2008) and 26 S.C. Code Ann. Regs. 103-512.4.A and 103-712.4.A (Supp. 2008), the Company requests that the Commission approve an increase in its monthly water and sewer service rates. Pursuant to 26 S.C. Code Ann. Regs. 103-503 and 103-703, Applicant further proposes a modification to the terms and conditions under which a tenant will be billed for water and sewer services to comport with current S.C. Code Ann. § 27-33-50 (Supp. 2008), as same may be amended in the future. Also, pursuant to 26 S.C. Code Ann. Regs. 103-703, Applicant proposes to add language requiring its customers who install, permit to be installed or maintain a cross connection between the Company's water system and any other non-public water system to install a backflow prevention device in accordance with 24A S.C. Code Ann. Regs. 61-58.7.F (Supp. 2008), as may be amended from time to time. The Company further proposes to require such customers to annually have such cross connection inspected by a licensed certified tester and provide to Utility no later than June 30th of each year a copy of a written inspection report and testing results submitted by the certified tester in accordance with 24A S.C. Code Ann. Regs. 61-58.7.F (Supp. 2008), as same may be amended from time to time. Additionally, Applicant proposes to modify the provision dealing with single family equivalents to incorporate the pertinent regulation of the South Carolina Department of Health and Environmental Control ("DHEC"), and to include language pertaining to the terms and conditions for extensions of its facilities for service. Applicant also proposes to amend its rate schedule to provide that, in lieu of mailing its customers a paper bill, it may provide an electronic bill to its water and sewer customers on the Company's website if requested by the customer in writing. Finally, the Company proposes to increase its approved Notification Fee to be charged in connection with a notice required to be provided pursuant to 26 S.C. Code Ann. Regs. 103-535.1 (Supp. 2008) prior to disconnection of sewer services.

In support of its request for an adjustment in the Company's water and sewer rates, terms and conditions UUC asserts, among other things, that the proposed water and sewer rate increases are necessary in order that it may provide reasonable and adequate service to its customers, comply with standards and regulations set by the Department of Health and Environmental Control and other governmental agencies which regulate the environmental aspect of the Company's business, and earn a reasonable return on its investment and attract capital for future improvements. The Company also asserts that the proposed water and sewer rate increases are necessary to preserve its financial integrity and to permit continued investment in and maintenance of its facilities so as to provide reliable and high quality services. Further, the Company asserts that an increase in its Notification Fee is necessary due to increased postal costs and increased mailings due to the number of delinquent customers.

THE PROPOSED CHANGES IN THE RATES AND CHARGES ARE SET FORTH BELOW

(The complete rate schedule is available from the Company at the address below and on the Commission's website at www.psc.sc.gov)

WATER

Monthly Charges	Current	Proposed
Residential (per single family house, condominium, mobile home, apartment unit)		
Residential		
Base Facilities Charge	\$11.50	\$20.69 per unit
Commodity Charge	\$4.50 per 1,000 gallons or 134 cft	\$8.09 per 1,000 gallons or 134 cft

OVER

Commercial

Basic Facilities Charge

Per single-family equivalent (SFE)

\$11.50

\$20.69 Per SFE

Commodity Charge:

\$4.50 per 1,000
gallons or 134 cft\$8.09 per 1,000
gallons or 134 cft**SEWER**

	Current	Proposed
Residential monthly charge		
Per single-family house, condominium, villa, or apartment unit	\$48.24 per unit	\$73.89 per unit
Mobile Homes – monthly charge	\$35.58 per unit	\$54.50 per unit
Commercial – monthly charge	\$48.24 per SFE	\$73.89 per SFE
<u>Charge for Sewer Collection Only</u>		
Residential – monthly charge per single-family house, condominium, mobile home or apartment unit	\$24.66 SFE	\$37.77 per unit
Commercial – monthly charge Per single-family equivalent	\$24.66 per SFE	\$37.77 per SFE
Notification Fee pursuant to Regulation 103-535.1	\$4.00	\$24.60

A copy of the Company's Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, P. O. Drawer 11649, Columbia, South Carolina 29211. Additionally, UUC's Application is available on the Commission's website at www.psc.sc.gov.

In order for testimony and evidence to be received from all interested parties, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, 101 Executive Center Dr., Columbia, South Carolina on **Tuesday, March 23, 2010 at 10:30 a.m.**

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before **January 18, 2010**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. *Please refer to Docket No. 2009-479-W/S.*

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, Post Office Box 11263, Columbia, South Carolina 29211, and John M. S. Hoefer, Esquire, Willoughby & Hoefer, P.A., Post Office Box 8416, Columbia, South Carolina 29202-8416 on or before **January 18, 2010**, and indicate the amount of time required for the presentation. *Please refer to Docket No. 2009-479-W/S.*

Any person who wishes to request a hearing in his or her county of residence should notify on or before **January 25, 2010**, in writing, the Docketing Department at the address below, the Office of Regulatory Staff, Post Office Box 11263, Columbia, South Carolina 29211, and John M. S. Hoefer, Esquire, Willoughby & Hoefer, P.A., Post Office Box 8416, Columbia, South Carolina 29202-8416. *Please refer to Docket No. 2009-479-W/S.*

Any person who wishes to be notified of any change in the hearing date, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before **January 18, 2010**. *Please refer to Docket No. 2009-479-W/S.*

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission in Columbia at 803-896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, SC 29211
11-24-09

221268

LAKE TROLLINGWOOD, INC.
LAKE TROLLINGWOOD HOMEOWNERS ASSOCIATION



7 January 2010

Public Service Commission of South Carolina
Attention: Docketing Department
Post Office Drawer 116-49
Columbia, South Carolina 29211

John M. S. Hoefer, Esquire
Willoughby & Hoefer, P.A.
Post Office Box 8416
Columbia, South Carolina 29202-8416

The Office of the Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211

Re: Petition to Request Hearing in County of Residence
 Petition to Request Notification of Change in Hearing Date/Venue } Docket No. 2009-479-W/S

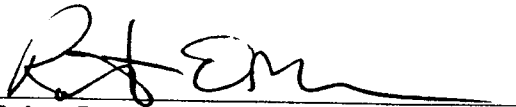
To Whom It May Concern:

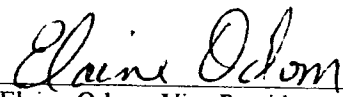
The homeowners of Lake Trollingwood, Inc. (names, addresses, and signatures contained herewith), hereby request that a hearing be held in their county of residence, Greenville County, with regard to the proposed changes in the rates and charges to water and sewer services as provided by United Utility Companies, Inc.

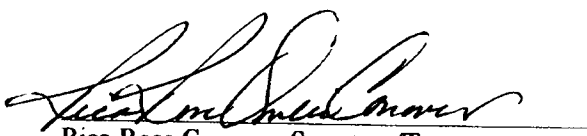
Furthermore, the homeowners of Lake Trollingwood, Inc. request to be notified of a change in the hearing date and venue.

Sincerely,

Lake Trollingwood, Inc.


Robert D. Green, President
141 Greybridge Road
Pelzer, South Carolina 29669
RDGREE@aol.com


Elaine Odom, Vice President
300 Shadowmere Drive
Pelzer, South Carolina 29669



Rica Rose Conover, Secretary/Treasurer
207 Rivendell Drive
Pelzer, South Carolina 29669
omricarose@aol.com

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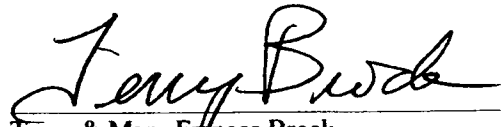
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PSC SC
DOCKETING DEPT.

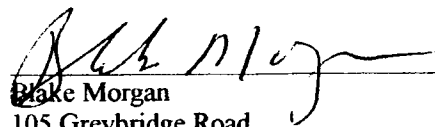
Docketing Department, Public Service Commission of South Carolina
The Office of the Regulatory Staff
John M. S. Hoefler, Esquire
7 January 2010
Re: Docket No. 2009-479-W/S
Page Two



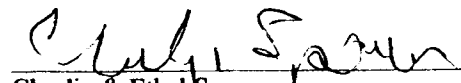
J.E. & Martha Buchanan
101 Greybridge Road
Pelzer, South Carolina 29669



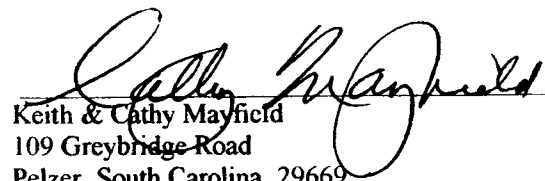
Terry & Mary Frances Brock
103 Greybridge Road
Pelzer, South Carolina 29669



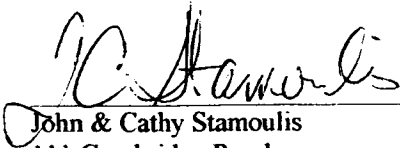
Blake Morgan
105 Greybridge Road
Pelzer, South Carolina 29669



Charlie & Ethel Spearman
107 Greybridge Road
Pelzer, South Carolina 29669



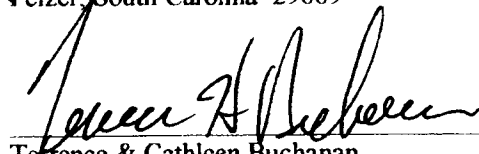
Keith & Cathy Mayfield
109 Greybridge Road
Pelzer, South Carolina 29669



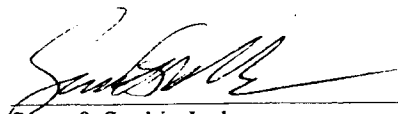
John & Cathy Stamoulis
111 Greybridge Road
Pelzer, South Carolina 29669



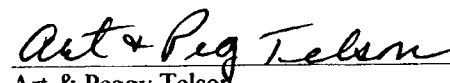
Jack & Kathy Rich
113 Greybridge Road
Pelzer, South Carolina 29669



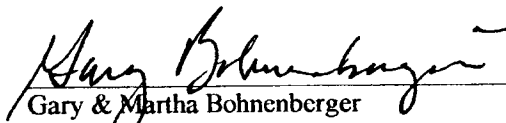
Terrence & Cathleen Buchanan
115 Greybridge Road
Pelzer, South Carolina 29669



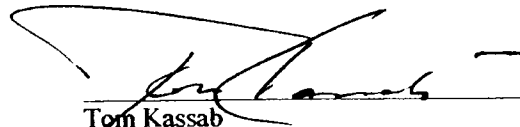
Scott & Sophia Jackson
117 Greybridge Road
Pelzer, South Carolina 29669



Art & Peggy Telson
115 Greybridge Road
Pelzer, South Carolina 29669

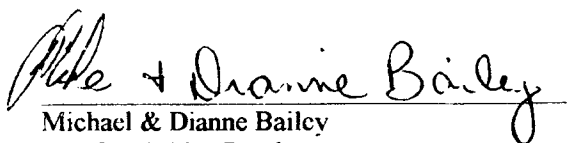


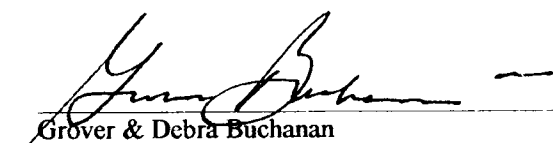
Gary & Martha Bohnenberger
121 Greybridge Road
Pelzer, South Carolina 29669




Tom Kassab
123 Greybridge Road
Pelzer, South Carolina 29669

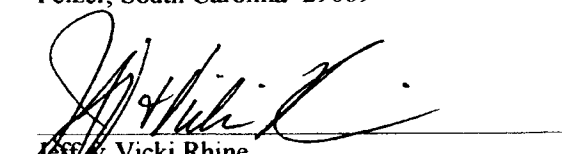
Docketing Department, Public Service Commission of South Carolina
The Office of the Regulatory Staff
John M. S. Hoefer, Esquire
7 January 2010
Re: Docket No. 2009-479-W/S
Page Three

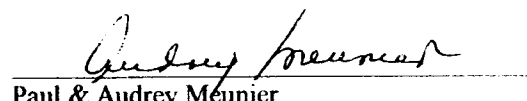

Michael & Dianne Bailey
125 Greybridge Road
Pelzer, South Carolina 29669

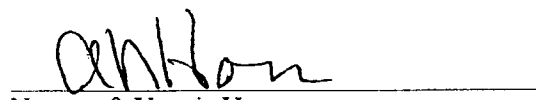

Grover & Debra Buchanan
130 Greybridge Road
Pelzer, South Carolina 29669



Douglas & Linda Stazer
127 Greybridge Road
Pelzer, South Carolina 29669



David & Kay Odell
154 Greybridge Road
Pelzer, South Carolina 29669

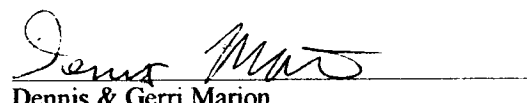

Jeff & Vicki Rhine
129 Greybridge Road
Pelzer, South Carolina 29669

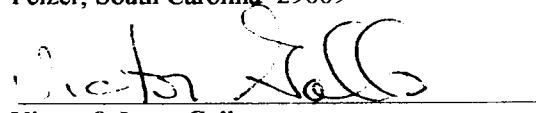

Paul & Audrey Meunier
205 Rivendell Drive
Pelzer, South Carolina 29669

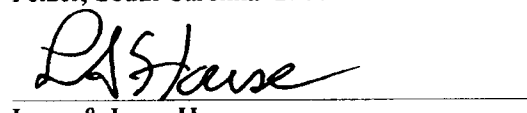

Newton & Vonnie Horr
131 Greybridge Road
Pelzer, South Carolina 29669


Bill & Peggy Miller
209 Rivendell Drive
Pelzer, South Carolina 29669

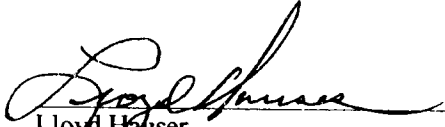

Lonnie & Glenda Hawthorne
120 Greybridge Road
Pelzer, South Carolina 29669

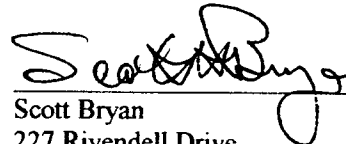

Dennis & Gerri Marion
208 Rivendell Drive
Pelzer, South Carolina 29669


Victor & Joyce Gallo
128 Greybridge Road
Pelzer, South Carolina 29669

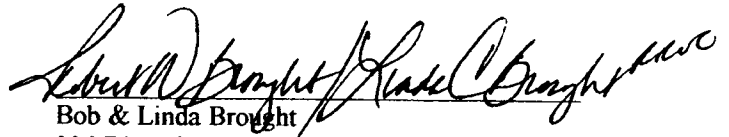

Larry & Janey House
211 Rivendell Drive
Pelzer, South Carolina 29669

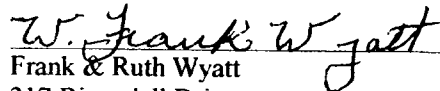
Docketing Department, Public Service Commission of South Carolina
The Office of the Regulatory Staff
John M. S. Hoefler, Esquire
7 January 2010
Re: Docket No. 2009-479-W/S
Page Four



Lloyd Hauser
215 Rivendell Drive
Pelzer, South Carolina 29669



Scott Bryan
227 Rivendell Drive
Pelzer, South Carolina 29669




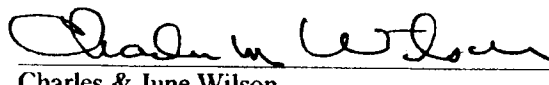

Bob & Linda Brought
226 Rivendell Drive
Pelzer, South Carolina 29669



Frank & Ruth Wyatt
217 Rivendell Drive
Pelzer, South Carolina 29669

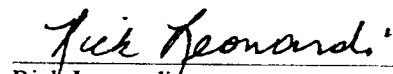

Charles & Dottie Ingram
302 Shadowmere Drive
Pelzer, South Carolina 29669

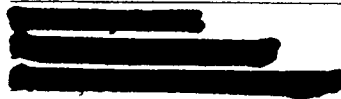

Willie & Frances Harkins
219 Rivendell Drive
Pelzer, South Carolina 29669


Robert & Jill Cornwell
301 Shadowmere Drive
Pelzer, South Carolina 29669


Charles & June Wilson
222 Rivendell Drive
Pelzer, South Carolina 29669


Peter & Elaine Robson
305 Shadowmere Drive
Pelzer, South Carolina 29669


Rick Leonardi
221 Rivendell Drive
Pelzer, South Carolina 29669



Docketing Department, Public Service Commission of South Carolina
The Office of the Regulatory Staff
John M. S. Hoefer, Esquire
7 January 2010
Re: Docket No. 2009-479-W/S
Page Five

Craig Dean
Karen Dean

Craig & Karen Dean
310 Shadowmere Drive
Pelzer, South Carolina 29669

[REDACTED]

Tony & Sheryal Sanders

Tony & Sheryal Sanders
313 Shadowmere Drive
Pelzer, South Carolina 29669

Mary Evans

Mary Evans
321 Shadowmere Drive
Pelzer, South Carolina 29669

Charles E. Scott
Lashaun D. Scott

Charles & Lashaun Scott
315 Shadowmere Drive
Pelzer, South Carolina 29669

William Coggins *Dana Coggins*

William & Dana Coggins
323 Shadowmere Drive
Pelzer, South Carolina 29669

Jim & Laurie Warren

Jim & Laurie Warren
312 Shadowmere Drive
Pelzer, South Carolina 29669

Rodney & Colleen Price

Rodney & Colleen Price
328 Shadowmere Drive
Pelzer, South Carolina 29669

Randy & Jan Landreth

Randy & Jan Landreth
316 Shadowmere Drive
Pelzer, South Carolina 29669

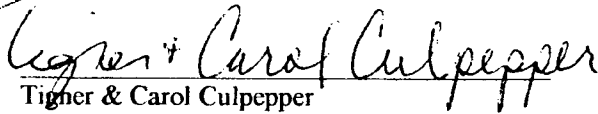
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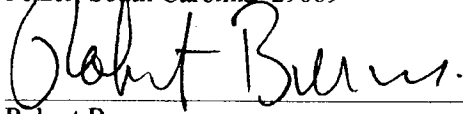
James & Emma Gist

James & Emma Gist
327 Shadowmere Drive
Pelzer, South Carolina 29669

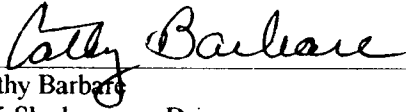
Docketing Department, Public Service Commission of South Carolina
The Office of the Regulatory Staff
John M. S. Hoefer, Esquire
7 January 2010
Re: Docket No. 2009-479-W/S
Page Six



Tigner & Carol Culpepper
329 Shadowmere Drive
Pelzer, South Carolina 29669



Robert Burns
331 Shadowmere Drive
Pelzer, South Carolina 29669



Cathy Barbare
335 Shadowmere Drive
Pelzer, South Carolina 29669

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING AND HEARING

DOCKET NO. 2009-479-WS

UNITED UTILITY COMPANIES, INC. – APPLICATION FOR ADJUSTMENT OF RATES AND CHARGES AND MODIFICATIONS TO CERTAIN TERMS AND CONDITIONS FOR THE PROVISION OF WATER AND SEWER SERVICE

United Utility Companies, Inc. (UUC or the Company) has filed an Application with the Public Service Commission of South Carolina (the Commission) for an adjustment of the Company's rates and charges and modification of certain terms and conditions for the provision of water and sewer service. UUC is a public utility, as defined by S.C. Code Ann. § 58-5-10(4) (Supp. 2008), providing water and sewer service to the public for compensation in certain areas of South Carolina pursuant to rates approved by the Commission in Docket No. 2000-210-W/S.

Pursuant to S.C. Code Ann. § 58-5-240 (Supp. 2008) and 26 S.C. Code Ann. Regs. 103-512.4.A and 103-712.4.A (Supp. 2008), the Company requests that the Commission approve an increase in its monthly water and sewer service rates. Pursuant to 26 S.C. Code Ann. Regs. 103-503 and 103-703, Applicant further proposes a modification to the terms and conditions under which a tenant will be billed for water and sewer services to comport with current S.C. Code Ann. § 27-33-50 (Supp. 2008), as same may be amended in the future. Also, pursuant to 26 S.C. Code Ann. Regs. 103-703, Applicant proposes to add language requiring its customers who install, permit to be installed or maintain a cross connection between the Company's water system and any other non-public water system to install a backflow prevention device in accordance with 24A S.C. Code Ann. Regs. 61-58.7.F (Supp. 2008), as may be amended from time to time. The Company further proposes to require such customers to annually have such cross connection inspected by a licensed certified tester and provide to Utility no later than June 30th of each year a copy of a written inspection report and testing results submitted by the certified tester in accordance with 24A S.C. Code Ann. Regs. 61-58.7.F (Supp. 2008), as same may be amended from time to time. Additionally, Applicant proposes to modify the provision dealing with single family equivalents to incorporate the pertinent regulation of the South Carolina Department of Health and Environmental Control ("DHEC"), and to include language pertaining to the terms and conditions for extensions of its facilities for service. Applicant also proposes to amend its rate schedule to provide that, in lieu of mailing its customers a paper bill, it may provide an electronic bill to its water and sewer customers on the Company's website if requested by the customer in writing. Finally, the Company proposes to increase its approved Notification Fee to be charged in connection with a notice required to be provided pursuant to 26 S.C. Code Ann. Regs. 103-535.1 (Supp. 2008) prior to disconnection of sewer services.

In support of its request for an adjustment in the Company's water and sewer rates, terms and conditions UUC asserts, among other things, that the proposed water and sewer rate increases are necessary in order that it may provide reasonable and adequate service to its customers; comply with standards and regulations set by the Department of Health and Environmental Control and other governmental agencies which regulate the environmental aspect of the Company's business, and earn a reasonable return on its investment and attract capital for future improvements. The Company also asserts that the proposed water and sewer rate increases are necessary to preserve its financial integrity and to permit continued investment in and maintenance of its facilities so as to provide reliable and high quality services. Further, the Company asserts that an increase in its Notification Fee is necessary due to increased postal costs and increased mailings due to the number of delinquent customers.

THE PROPOSED CHANGES IN THE RATES AND CHARGES ARE SET FORTH BELOW

(The complete rate schedule is available from the Company at the address below and on the Commission's website at www.psc.sc.gov)

WATER

Monthly Charges	Current	Proposed
<u>Residential (per single family house, condominium, mobile home, apartment unit)</u>		
<u>Residential</u>		
Base Facilities Charge	\$11.50	\$20.69 per unit
Commodity Charge	\$4.50 per 1,000 gallons or 134 cft	\$8.09 per 1,000 gallons or 134 cft

OVER

Commercial

Basic Facilities Charge

Per single family equivalent (SFE)

\$11.50

\$20.69 Per SFE

Commodity Charge:

\$4.50 per 1,000
gallons or 134 cft\$8.09 per 1,000
gallons or 134 cft**SEWER**

	Current	Proposed
Residential monthly charge		
Per single-family house, condominium, villa, or apartment unit	\$48.24 per unit	\$73.89 per unit
Mobile Homes – monthly charge	\$35.58 per unit	\$54.50 per unit
Commercial – monthly charge	\$48.24 per SFE	\$73.89 per SFE
<u>Charge for Sewer Collection Only</u>		
Residential – monthly charge per single-family house, condominium, mobile home or apartment unit	\$24.66 SFE	\$37.77 per unit
Commercial – monthly charge	\$24.66 per SFE	\$37.77 per SFE
Per single-family equivalent		
Notification Fee pursuant to Regulation 103-535.1	\$4.00	\$24.00

A copy of the Company's Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, P. O. Drawer 11649, Columbia, South Carolina 29211. Additionally, UUC's Application is available on the Commission's website at www.psc.sc.gov.

In order for testimony and evidence to be received from all interested parties, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, 101 Executive Center Dr., Columbia, South Carolina on **Tuesday, March 23, 2010 at 10:30 a.m.**

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before **January 18, 2010**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. *Please refer to Docket No. 2009-479-W/S.*

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, Post Office Box 11263, Columbia, South Carolina 29211, and John M. S. Hoefer, Esquire, Willoughby & Hoefer, P.A., Post Office Box 8416, Columbia, South Carolina 29202-8416 on or before **January 18, 2010**, and indicate the amount of time required for the presentation. *Please refer to Docket No. 2009-479-W/S.*

Any person who wishes to request a hearing in his or her county of residence should notify on or before **January 25, 2010**, in writing, the Docketing Department at the address below, the Office of Regulatory Staff, Post Office Box 11263, Columbia, South Carolina 29211, and John M. S. Hoefer, Esquire, Willoughby & Hoefer, P.A., Post Office Box 8416, Columbia, South Carolina 29202-8416. *Please refer to Docket No. 2009-479-W/S.*

Any person who wishes to be notified of any change in the hearing date, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before **January 18, 2010**. *Please refer to Docket No. 2009-479-W/S.*

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission in Columbia at 803-896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, SC 29211
11-24-09

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-479-W/S

IN RE:

Application of United Utility Companies,
Inc. for adjustment of rates and charges
and modifications to certain terms
and conditions for the provision of
water and sewer service.

CERTIFICATE OF SERVICE


This is to certify that I have caused to be served this day one (1) copy of **Letter Dated January 22, 2010** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Nanette S. Edwards, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211

Duke K. McCall, Jr., Esquire
William H. Jordan, Esquire
Smith Moore Leatherwood, LLP
Post Office Box 87
Greenville, SC 29602

Rica Rose Conover, Secretary/Treasurer
Lake Trollingwood, Inc.
207 Rivendell Drive
Pelzer, SC 29669

Alvin F. Simpson, Jr.
411 Killion Drive
Gaffney, SC 29340



Clark Fancher

Columbia, South Carolina
This 22nd day of January, 2010